

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

CHARLES M. BUTLER, III and  
CHLOE BUTLER

Plaintiffs,

vs.

UNIFIED LIFE INSURANCE  
COMPANY; HEALTH PLANS  
INTERMEDIARIES HOLDINGS,  
LLC, doing business as Health  
Insurance Innovations, doing business  
as Health Insurance Innovations, Inc.;  
ALLIED NATIONAL, INC.;  
NATIONAL BROKERS OF  
AMERICA, INC.; THE NATIONAL  
CONGRESS OF EMPLOYERS, INC.;  
and DOES 1-10

Defendants.

CV 17-50-BLG-SPW-TJC

**ORDER**

Defendant Health Plans Intermediaries Holdings, LLC (“HII”) has filed Motions in Limine. (Doc. 135.) Plaintiff has requested that consideration of HII’s Motions in Limine be stayed until after a deadline for motions in limine is set pursuant to the Scheduling Order. (Doc. 152.) HII does not oppose the request. (*Id.*)

The Court finds HII’s Motions in Limine are premature. Pursuant to the Scheduling Order a motions in limine deadline will be set following disposition of the currently pending pretrial motions, including: Plaintiffs’ Motion for Leave to File a Third Amended Complaint (Doc. 86); Plaintiffs’ Motion to Certify Class

(Doc. 93); Plaintiff's Motion for Partial Summary Judgment (Doc. 98); Defendants Unified Life Insurance Company and Allied National, Inc.'s Motion for Partial Summary Judgment (Doc. 115); Defendants Unified Life Insurance Company and Allied National, Inc.'s Motion to Strike Supplemental Expert Reports (Doc. 123); Plaintiffs' Second Motion for Partial Summary Judgment (Doc. 125); Defendants Unified Life Insurance Company and Allied National, Inc.'s Motion for Summary Judgment on Common Law Counts (Doc. 128); Defendant HII's Motion for Summary Judgment (Doc. 132); and Defendant The National Congress of Employers Motion for Summary Judgment (Doc. 137).

The Court finds it would not be appropriate to address HII's Motions in Limine prior to resolution of the pending pretrial motions, which will determine the issues to be tried in this case. Accordingly, HII's Motions in Limine (Doc. 135) are **DENIED without prejudice** to refiling after a motions in limine deadline has been set by further order of the Court.

DATED this 26th day of October, 2018.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge